

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
James RUSSELL

Serial No. 10/592,224

IA Filing Date: March 4, 2006

For: TOLL-LIKE RECEPTOR2 (TLR-2) HAPLOTYPES
PREDICT OUTCOME OF PATIENTS

Atty's Dkt: RUSSELL4

) Application Division

) **ATTN: PCT**

) Washington, D.C.

) Confirmation No.: 7819

) Date: June 4, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office

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Randolph Building, Mail Stop Missing Parts

401 Dulany Street

Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated April 2, 2007.

[XX] Attached hereto are two (2) executed declarations+ in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date and priority information.

[XX] Sequence Listing

[] Paper Copy (pages)

[X] Computer readable form

[] A copy of the front page of the WO publication, acknowledging the DOI, is enclosed.

[] A copy of the acknowledgement of receipt of the DOI is enclosed.

[] Since the declaration was the only surchargeable item allegedly omitted and the DOI was timely filed, the imposition of the surcharge was improper

[] Additional fees as calculated below:

[] Search fee		
[] Examination fee		
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
- 20 =		X \$ 50.00
- 3 =		X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$130.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$65.00 >
SUBTOTAL		\$65.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$65.00

[] Surcharge for late filing of the Declaration was paid on _____.

[] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 60.00

[] Second - \$ 225.00

[] Third - \$ 510.00

[] Fourth - \$ 795.00

[] Fifth - \$1,080.00

month after time period set

Other Than Small Entity

Response Filed Within

[] First - \$ 120.00

[] Second - \$ 450.00

[] Third - \$1,020.00

[] Fourth - \$1,590.00

[] Fifth - \$2,160.00

month after time period set

☒ Conditional Petition for Extension of Time:


If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ Submitted herewith is a Credit Card Authorization, authorizing payment the amount of \$65.00 is enclosed to cover the above fees.

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

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